

REMARKS

Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1 and 7, the segment, "non-internet media buys" is indefinite. It is not clear what the metes and bounds of non-internet media buys are.

Regarding claims 2-6 and 8 depend from claims 1 and 7 respectively, and are therefore rejected on the same merits.

Non-internet media buys is a very specific term known in the industry being defined as media buys which are not on the internet. Therefore, the claims of the invention do not cover where a user places an advertisement on a website which directs a user to a further website. Examples in the specification of the patent for non-internet media buys include television, radio, newspapers, magazines, billboards which are described on page 1, 4, 5, 6, 7, 8, and the associated figures.

Claims 1-8 are rejected under 35 U.S.C 103(a) as best as the Examiner is able to ascertain as being unpatentable over Matsumoto et al (U.S. Patent No. 6,763,334).

Regarding claims 1 and 7, Matsumoto discloses a system and method for determining which non-internet ads direct which web clicks comprising (abstract):

a database comprising information about a user's non-internet media buys (fig. 1, item 15, col. 7, lines 4-56).

(Note: mailing magazine is one example of non-internet media buys).

This column relates to an advertisement contract and not a database comprising information about a users non-internet media buys. In fact, this section discusses opt-in mailing services and websites which are internet media buys.

an index log files optionally comprising a user's IP address (fig. 2, item 62, col. 8, lines 53-64);

said system comparing information from said first database with information from said index log file to determine which of said non-internet ads generated said web clicks (col.10, lines 8-12).

Col. 10, lines 8-12 relate to a response measure module for providing data of the user's responses or actions induced by the advertisement on the ad space. Matsumoto does not teach or make obvious a system for comparing information from said first database to said second database to determine which of the non-internet advertisements generated the web clicks.

As stated at col. 8, lines 32-44. the URL is embedded in the ad space 201 so that an index CGI 61 of the agents server 10 catches the information of the user clicking on the ad space 201, in addition to the advertisers name and APID. Therefore with regards to non-internet advertising, the invention relates to putting different URL's with different advertisements to determine which advertisement caused the user to go to the website. This is contrary to the present invention which specifically states that the system compares information regarding a non-internet media buy and users IP address to confirm which non-internet advertisements generated the web click. Therefore, claims 1 and 7 are not obvious over Matsumoto.

Matsumoto does not expressly teach a second database for storing user's IP address, but does store user's referrer log showing all referring pages from which the user is led to entrance page and also optionally stores the user's IP address in the index log file (62). Note, the user's IP address does not have to be stored because Matsumoto system uses an index URL embedded in the ad which allows for the monitoring of the user's access induced by the advertisement hence the actions for the user are known without the need for the user's IP address, however, optionally user's IP address may be stored (col. 8, lines 53-63).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to store the user's IP address and referrer log in a second database in the Matsumoto system by simply modifying the index log file (62) to be implemented as a database. One would be motivated to use a second database instead of an index log file to easier manipulate that date stored in the index log file.

Regarding claims 2 and 8, Matsumoto discloses the system further comprises a report which shows which ads generated the web clicks (col. 9, lines 61-65).

For the reasons stated above for claims 1 and 7, claims 2 and 8 are not obvious over Matsumoto.

Regarding claim 3, Matsumoto discloses information about the user's buy comprises;

date and time of advertising, typing of advertising, location of ad and expiration date of the ad (col. 7, lines 24-40).

For the reasons stated above for claim 1, claim 3 is not obvious over Matsumoto.

Regarding claim 4, Matsumoto discloses the information about a user's media buys further comprises cost of the ad (col. 5, lines 22-29).

For the reasons stated above for claim 1, claims 4 is not obvious over Matsumoto.

Regarding claim 5, Matsumoto discloses the information about a user's media buys further comprises demographic of the ad (col. 6, lines 59-63).

For the reasons stated above for claim 1, claim 5 is not obvious over Matsumoto.

Regarding claim 6, Matsumoto discloses a report which shows which of the web clicks do not correspond to an ad (col. 9, line 61 to col. 10 line 20).

Matsumoto does not disclose a report which shows which web clicks do not correspond to an ad since all of Matsumoto's advertisements have a URL and therefore by typing in any URL there is a web click generated to an ad. Such is not the case of the claims of the present invention. Therefore claim 6 is not obvious over Matsumoto.

Applicant now believes the application is in condition for allowance.

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